

In the Claims:

6. (Amended) An electrophoretic display comprising:
a substrate;
at least one capsule containing a suspending fluid and at least one particle;
at least two electrodes disposed adjacent the at least one capsule, said at least two
electrodes disposed between said substrate and said at least one capsule,
wherein application of a voltage potential to one of said at least two electrodes
causes said at least one particle to migrate within said capsule, causing said capsule to
change its visual state.

RESPONSE

Claims 1-10 are pending in the Application, and claims 1, 6 and 10 are independent claims. Claims 1, 2, and 6 are rejected under 35 U.S.C. 102(a) as anticipated by U.S. Patent No. 3,772,013 to Wells ("Wells"). Claims 3-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of U.S. Patent No. 5,161,007 to Takanashi *et al.* ("Takanashi").

Applicants have amended the Specification to correct a typographical error. Applicants have amended claim 6 to more clearly claim their invention. The amendments add no new matter and are fully supported by the Specification and the Figures.

Rejection under 35 U.S.C. § 102(a)

Independent claim 1, claim 2, and independent claim 6 are rejected under 35 U.S.C. 102(a) as anticipated by U.S. Patent No. 3,772,013 to Wells ("Wells").

Independent Claim 1:

Claim 1 is novel. Claim 1 recites, in relevant part, an electrophoretic display that includes a first particle and a second particle, the first particle having a first electrophoretic mobility and the second particle having a second electrophoretic mobility.

Wells does not disclose particles having a first electrophoretic mobility and a second electrophoretic mobility. Wells discloses a photoelectric imaging system having an imaging

suspension composed of electrically photosensitive particles and inert particles that are dispersed in an insulating carrier liquid. When simultaneously exposed to a light image and a uniform electrical field, either of the species of particles can move to form an image.

At column 2, lines 57-62, Wells teaches that “[w]here the inert particles are of a different color than the electrically photosensitive particles, the color of the image formed on either of the electrodes can thus be changed by simply reversing system polarities with little, if any, decrease in system response.” Thus, the rate of appearance (i.e., “system response”) of either of the images described is the same, no matter whether an image of one color particle or the other color particle is formed. Therefore the mobilities of the two particles are substantially the same, or else the image of one color would take longer to form than the other. Hence, Wells does not teach or suggest two kinds of particles with two electrophoretic mobilities.

Applicants respectfully submit that independent claim 1, and claim 2 which depends from claim 1, defines patentably over Wells.

Independent Claim 6:

Amended independent claim 6 is novel. As amended, claim 6 recites, in pertinent part, that the electrophoretic display includes a substrate, at least one capsule containing a suspending fluid and at least one particle, and at least two electrodes disposed adjacent the at least one capsule, said at least two electrodes disposed between said substrate and said at least one capsule.

Wells describes a process in which one electrode is located a surface on one side of a fluid containing two types of particles, and another electrode is located on a surface on the opposite side of the fluid containing two types of particles. Wells creates an image by the motion in an electric field applied between the two electrodes of particles that become charged under the operation of light. Wells does not teach or suggest the provision of at least two electrodes, at least two of which are disposed between a capsule and a substrate. Applicants respectfully submit that amended independent claim 6 is therefore distinguishably different from Wells, is not anticipated by Wells, and is patentable.

Rejections under 35 U.S.C. § 103(a)

Claims 3-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of U.S. Patent No. 5,161,007 to Takanashi *et al.* ("Takanashi").

Takanashi teaches the use of colored filters to separate incident light into its color components in a recording device used to record information contained in an electromagnetic radiation beam (i.e., information carried in a light beam). Takanashi does not describe technology that is related to electrophoretic particle displays, nor methods of making or using such displays. At column 5, lines 23-27, Takanashi teaches that "[a] charge retaining material, for example, a high-resistance material such as a silicone resin and a material in which photoconductive fine particles are included in and near the surface of the resin, for retaining carriers on its surface or therein can be used as the recording layer 12." Takanashi's particles are fixed within the high resistance material and do not move. Wells requires motion of the particles within a suspending fluid for his process to operate. If the particles of Takanashi were allowed to move as required by the process of Wells, the image that Takanashi records would be destroyed, i.e., the method of Takanashi would not be operative. Neither Wells nor Takanashi teach or suggest the combination of the one with the other. There is thus no motivation to combine Wells and Takanashi.

Claims 3-5:

Dependent claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of Takanashi. The discussion of Wells presented above with regard to independent claim 1 is reiterated here in its entirety. Because there is no motivation to combine these references, as indicated above, Applicants respectfully submit that claims 3-5 are neither anticipated nor obvious, and are allowable as depending from allowable independent claim 1.

Claims 7-9:

Dependent claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of Takanashi. The discussion of Wells presented above with regard to independent claim 6 is reiterated here in its entirety. Because there is no motivation to combine

these references, as indicated above, Applicants respectfully submit that claims 7-9 are neither anticipated nor obvious, and are allowable as depending from allowable independent claim 6.

Independent Claim 10:

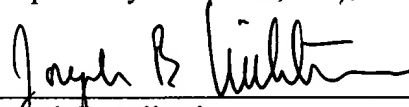
Independent claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of Takanashi. Independent claim 10 recites, in pertinent part, electrodes that are colored cyan, magenta and yellow, that are components of an electrophoretic display. Wells does not teach colored electrodes. Takanashi discloses color separation filters that are employed in a recording device, as discussed above. However, Takanashi does not teach or suggest anything about electrophoretic materials or displays, or about photoelectrophoretic materials or displays. Furthermore, the combination of Takanashi with Wells is not taught or suggested by either Takanashi or Wells, as discussed above. One of ordinary skill in the electrophoretic arts would have no motivation to combine the teachings of Wells and Takanashi. Applicants respectfully submit that claim 10 is neither anticipated nor obvious, and is allowable.

SUMMARY

Applicants request that the Examiner reconsider the application and claims in light of the foregoing Amendment and Response, and respectfully submit that the claims, as amended, are in condition for allowance. If, in the Examiner's opinion, a telephonic interview would expedite the favorable prosecution of the present application, the undersigned agent would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in condition for allowance.

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Respectfully submitted,



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